

Post Office Department  
WASHINGTON

MAR 26 1914

ORDER NO. 7917

It having been made to appear to the Postmaster General, upon evidence satisfactory to him, that THE CARTILAGE COMPANY and the CARTILAGE TREATMENT COMPANY, and their respective officers and agents as such,

at Rochester, New York, are engaged in conducting a scheme or device for obtaining money through the mails by means of false and fraudulent pretenses, representations, and promises,

in violation of the act of Congress entitled "An act to amend certain sections of the Revised Statutes relating to lotteries, and for other purposes," approved September 19, 1890, said evidence being more fully set forth in the memorandum of the Assistant Attorney General for the Post Office Department of the date of March 26, 1914, and for the reasons set forth in said memorandum, and by authority vested in the Postmaster General by said act, and by the act of Congress entitled "An act for the suppression of lottery traffic through international and interstate commerce and the postal service, subject to the jurisdiction and laws of the United States," approved March 2, 1895, the Postmaster General hereby forbids you to pay any Postal Money Order drawn to the order of said concerns or parties,

and you are hereby directed to inform the remitter of any such postal money order that payment thereof has been forbidden, and that the amount thereof will be returned upon the presentation of the original order or a duplicate thereof applied for and obtained under the regulations of the Department.

And you are hereby instructed to return all letters, whether registered or not, and other mail matter which shall arrive at your office directed to the said concerns or parties

to the postmasters at the offices at which they were originally mailed, to be delivered to the senders thereof, with the words "Fraudulent: Mail to this address returned by order of Postmaster General" plainly written or stamped upon the outside of such letters or matter. Provided, however, that where there is nothing to indicate who are the senders of letters not registered or other matter, you are directed in that case to send such letters and matter to the Division of Dead Letters with the words "Fraudulent: Mail to this address returned by order of Postmaster General" plainly written or stamped thereon, to be disposed of as other dead matter under the laws and regulations applicable thereto.

(Signed) A. S. Burleson

Postmaster General

To the Postmaster,

Rochester, New York.

19,879-E



## Post Office Department

OFFICE OF THE ASSISTANT ATTORNEY GENERAL

Washington

March 26, 1914.

In the matter of charges that  
THE CARTILAGE COMPANY  
and the  
CARTILAGE TREATMENT COMPANY, at  
Rochester, New York,  
are engaged in conducting a  
scheme for obtaining money  
through the mails by means of  
false and fraudulent pretenses,  
representations and promises.

MEMORANDUM for the  
POSTMASTER GENERAL  
Recommending the  
issuance of a fraud  
order.

Under date of August 4, 1913, The Cartilage Company and the Cartilage Treatment Company were cited to show cause why a fraud order should not be issued against them under Sections 3929 and 4041, Revised Statutes, as amended. Due to continuances granted upon request of counsel for respondent, John J. Vause, of New York, New York, the case was not heard until September 22,-24, last and at the conclusion of the hearing additional time was allowed in order that Mr. Vause might file a brief. A careful review of the answer, supplemental answer and brief of the respondent and all of the evidence submitted leads to the following findings:

The place of business of this concern is Rochester, New York, and its correct designation is "The Cartilage Company" under which name it was incorporated on February 5, 1905, under the laws of the State of New York. Its incorporators and directors for the first year named in the articles of incorporation were Thomas Adkin, Charles S. Clark, and K. Leo Minges. Adkin and Clark, it will be remembered, were also the leading figures in



the conduct of the business of the Okola Laboratory and the New York Institute of Science, both of Rochester, New York, against which concerns fraud orders were issued on February 16, 1914, and March 13, 1914, respectively. It should also be stated that Thomas F. Adkin was president of the New York Institute of Physicians and Surgeons against which a fraud order was issued on March 2, 1905.

In the promotion of its business this concern has caused to be placed in newspapers and magazines conspicuous advertisements claiming that it has discovered and invented and has on sale for \$10. a marvelous appliance the use of which is guaranteed to increase the height of any man or woman not over fifty years of age from two to five inches and that persons over fifty can be made perceptibly taller. The following quotations illustrate the character of representations contained in the advertisements:

"I GROW TALLER EVERY DAY. You can increase your height from two to five inches by this method. Absolutely harmless, strictly scientific and endorsed by leading physicians. Free book explains it. Results quickly accomplished at home.

"I have increased my height nearly eight inches since I began following the Cartilage method. These results are lasting and are a great surprise to my most intimate friends. There is no hearsay or guesswork about it. Those who knew me before and know me now are ready to swear to this statement. I am interested in all who are short and stunted and I will gladly tell you how I acquired this increased height. There is no pain or inconvenience connected with it. No electricity, drugs or knife used; simply a process which causes the Cartilages to expand and lengthen the bones. Write me and I will tell you how to receive the same benefits which I have received. Tell me your exact height and age and I will give you information that will surprise you. You will also receive my free book which tells all about this remarkable discovery, and it contains the pictures and statements of many who have increased their height from two to five inches. All correspondence will be held sacredly confidential, and all letters and books sent free in plain envelopes. You can increase your height if you are not over fifty years of age. This method also develops the body proportionately. Write for it, but satisfy yourself. I can prove it to you if you will give me the opportunity." Address: The Cartilage Co., Dept. 102H. Rochester, N. Y."

"HOW TO GROW TALL and Broaden your shoulders, A Startling Discovery That Will Revolutionize the Physical Condition



of Mankind. Why Remain Short and Stunted When You May Learn Free the Secret of How to Grow Tall. No Matter How short You Are or What Your Age, You can Increase Your Height.

"No New discovery has attracted more attention in the scientific world than that made by K. Lee Minges, of Rochester, N. Y. Mr. Minges is to short men and women what the great wizard, Edison, is to electricity. He has gathered more information relative to bone, muscle and sinew than anyone else in existence. Making people grow tall has been a hobby with Mr. Minges for years, and the results he has accomplished are startling to a high degree. By this method every man or woman not over fifty years of age can be made to grow from two to five inches in height, and any one older than that may increase his height perceptibly. His method has the endorsement of leading physicians, and several prominent educational institutions have adopted it for the better physical development of their pupils. If you would like to increase your height you should read the book which tells you how this remarkable discovery was made and reveals to you the secrets of how to grow tall. It is free. You are not asked to spend a single cent, and if you desire it we will send you the statements of hundreds who have grown from two to five inches in height by following this method. The results are quickly accomplished. Many have grown as much as three inches in two months. There is no inconvenience, no drugs or medicines, or operation. Merely the application of a scientific principle in a perfectly hygienic and harmless way. Your most intimate friends need not know what you are doing. All communications will be sent in plain envelopes. The book C, 'How to Grow Tall,' contains illustrations that will interest and instruct anyone. One thousand of these books will be given away, absolutely free, postage prepaid, while the present edition lasts. If you want to grow tall, write to-day, in strictest confidence, for a free copy. Address The Cartilage Co., 920 Unity Building, Rochester, N. Y."

"MAKE YOURSELF 3 INCHES TALLER. The Wonderful Difference of an Inch in Height can be thoroughly appreciated by standing a short man and a tall man under a measuring rod. It will be found that the difference, in inches, is very slight. By the recent discovery of a well-known Rochester business man, all short people can now secure the additional inch or two necessary to make them as tall as the average person.

"The simple method he has discovered can be used at home by anybody of either sex, so that they will surely grow from 2 to 5 inches in height. Even the very old can increase their height perceptibly. There is no pain, no operation, no electricity, no drugs about this harmless method. It can be used in the privacy of your own home, and necessitates no loss of time or detention from business. Eminent doctors, scientists and gymnasium experts have



1700

4

endorsed this method. It has been adopted by the leading universities and schools. It accomplishes this seemingly wonderful result in a perfect, hygienic, natural and harmless way. It not only adds to your height, but increases your chest measurement, enlarges your lung capacity, broadens your shoulders and helps your health every way.

"ABSOLUTELY FREE TO ALL. In order to enable all short persons to obtain the many advantages of increased height, the inventor has published an interesting book, beautifully illustrated from life, which he will send free to anyone who asks for it. This free book tells exactly how it is done. It contains the pictures and statements of many who have used this method. After you have read it, you will clearly understand how to secure all the advantages that increased height brings, and forever end the embarrassment of being called 'short.' If you would like to increase your height and secure a perfect figure, send your name and address to-day. The book will be sent to you at once, all charges prepaid, in a plain package. All correspondence is strictly confidential. The Cartilage Company, 137D, Unity Bldg., Rochester, N. Y."

Persons answering these advertisements are sent stock letters and a booklet "How to Grow Tall," mentioned in the advertisements. This publication is made up of representations calculated to influence and induce persons to believe that wonderful results can be obtained by the use of the apparatus therein described. Some of these statements are as follows:

"If you are not fully convinced that our method is absolutely harmless, we will consider it a great personal favor if you will write to any of the references whose names and addresses appear in our literature and ask them what they think about it. We get a large amount of business through one person recommending us to another."

"WHAT IS MORE BEAUTIFUL THAN A BEAUTIFUL WOMAN?"

"The physical condition of the average woman of today is not what nature intended. Real beauty, the beauty that attracts and holds men, is not the sweet, pretty face or the well dressed body, but the beauty of perfect health, which is admired by all men and women alike, a graceful and well proportioned figure. This indeed justly merits the name beautiful. If you desire a tall and well developed figure such as is drawn by the leading artists of today, place yourself at our disposal, tell us where the weak spots are and what portion of your body you prefer to develop, and we will outline a method for you in connection with our apparatus, that will help you to accomplish all this. All we ask is a little effort and co-operation on your part."



After a few weeks, it becomes as mere child's play and is a positive pleasure. When you observe your body grow into beautiful and graceful lines, you will then feel amply repaid for the little effort put forth.

"It is the laudable ambition of every man and woman to be admired by those of the opposite sex. Such a desire is not vanity - it is the healthy, wholesome craving of every normal person. It is an admitted fact that short people are not admired from a physical standpoint, except by those who have failed to develop an eye for the artistic. If you have a natural craving for admiration and want to justly deserve the praise which will be given you, you should start immediately with the proper method to bring about an improved condition of your body. This can be done by nature's own laws by proper exercise and a perfectly directed course of the Cartilage system.

"Our invention for this purpose is an apparatus which is used for the purpose of lengthening and remodeling the body. In other words, it is a body developer which is worn for a short time before retiring and upon arising in the morning, and during this period the body is gradually brought toward a condition of perfection. The apparatus is by no means complicated, but can be applied as easily as putting on a jacket; simple in itself, it has the wonderful facility of working upon the entire body, and the results are almost incredible. Often our patrons are amazed at the results accomplished in a short space of time."

" \* \* \* After a few weeks' practice as outlined by us, our patrons become enthusiastic upon the subject and never cease until they reach the high ideal 'perfect man or woman.' \* \* \*"

"We are often asked the question, 'How long will it take me to grow two inches, three inches, etc?' This largely depends upon the condition of the cartilage, tendons, muscles, etc. Some notice a perceptible change the first week, while with others it takes longer, usually the younger the individual the more easily the results are accomplished. Some will grow one inch the first month, one half in the second, and a half in the third, and so on until they reach an increase in height from two to five inches."

"YOU SHRINK WITH AGE. When you grow old you shrink. This is due to a flattening of the cartilage and a contraction of the muscles and sinews of the entire body. There is no reason why an old person should shrink, now that the Cartilage method has become known, as this method can be used by the old as well as the young. It will assist old people to remain healthy and strong. They only need to use it occasionally to produce very satisfactory results. By applying it occasionally, it will prevent the natural shrinkage in old people. If you are short at the present



time, you can see the importance of taking this matter up at once, because when you grow old you will be a great deal shorter than you are at present, if you do not do something to make you taller before you get old."

"OUR GUARANTY.

"What a pleasure it is to be able to guarantee anything that you know will fulfill your expectations. This is exactly the position in which we are placed. That is why we make our offer so strong. That is why we can afford to live up to it to the letter. We know that it will do what we promise. If we were selling something which would only effect occasional patrons, we could not afford to guarantee the results, because we would have to refund so much money that it would soon compel us to quit business. Our patrons are so well pleased and satisfied that we can easily afford to give a guaranty.

"Under our guaranty if the purchaser will follow our directions according to the terms mentioned in our Guaranty Contract, and we fail to produce the results promised, we refund the money. Read our Guaranty Contract. It is a plain, business-like protection to you. It is free from all impossible conditions. We have a successful method and we know it, and that is why we can afford to guarantee it. If there is any part of our guarantee that you do not clearly understand, write us before you order, so that we can explain the matter clearly to you, then there will be no misunderstanding between us. We cannot afford to have any misunderstanding. We make it an absolute rule to deal fairly with the public, and we expect and demand the same in return."

" \* \* \* My apparatus and courses, used according to my instructions, will increase the cartilage from the first vertebra down to the heels, including the arms as well. My theory and claim is that by a repetition of this process, you will eventually grow taller. Each time you use the apparatus, I claim that you increase your height a little; and these small fractions of an inch go toward producing the two inches which I guarantee. Many of my students grow considerably more, but, as we are very conscientious in our statements, we only guarantee from two to five inches."

The stock letters urge the prospective purchaser to read carefully every word of the literature inclosed therewith, which will give them all the necessary information as to the secret of growing tall.

Persons failing to purchase are sent follow-up letters in which a gradual reduction in price is made from \$10. to as low as \$3.

The apparatus from which such great results are promised is of inexpensive manufacture, being made up of straps, cords, pulleys, a bar of cast iron, etc., and so constituted as that one end of the rope may be fastened to the head



and shoulders by means of straps and the other end held in the hands, the rope passing through a double pulley overhead, which would thus permit one to raise the body from the floor were it not for stirrups fastened to the floor especially to prevent this.

The treatment consists, in addition to the use of this machine, of certain baths, massage, and hygienic measures, which admittedly are good for the general health, although they have no effect in the way of stretching the body, which is the widely advertised feature relied upon to sell the course, and would not tend to increase the height of any person who had reached his full natural growth.

The evidence placed before me leaves no doubt in my mind that these various representations are made without any proper foundation. In the first place K. Leo Minges, the "inventor" of the system, is not a physician or a scientist, and neither he nor his alleged "discovery" has "attracted attention in the scientific world," and no evidence was introduced to justify the assertion that "he has gathered more information relative to bone, muscle and sinew than anyone else in existence". On the contrary, although present at the hearing with an opportunity to establish his qualifications, he did not take the stand and submit himself to cross-examination. The only basis for his extravagant claims appears to be the fact that he has dissected a few cadavers in the establishment of a man whose business is the construction of anatomical reproductions.

The representation that his method has the endorsement of leading physicians and that several prominent educational institutions have adopted it "for the better physical development of their pupils" I find to be without foundation, the few institutions that consented to its installation for experimental purposes having shortly thereafter discarded it as worthless.



An inspector engaged upon the case sent out seven hundred inquiries to purchasers of the appliance and out of one hundred and eighty-six replies received one hundred and seventy-one stated that they had derived no benefit from the use of the apparatus, while fifteen claimed to have been benefited. However, only three of these were over twenty-five years of age, up to which age an increase in height is entirely natural, according to the testimony of the Government's experts. From a careful examination of this evidence and of evidence along the same line introduced by respondent I am unable to find a single case where growth can be certainly attributed to the use of respondents appliance independently of other factors, but instead find that in practically all cases of reported success the subject was in the growing stage and that his growth was consequently according to nature and not superinduced by the appliance, or in the few instances where the subject was beyond the period of natural growth that the alleged increase in height was so slight as to make it most probable that the difference was due to inaccurate measurement.

As an illustration of the fact that the result obtained in measuring oneself is very unreliable an experiment made by me during the hearing will serve. Two successive attempts by the same person to measure his height by placing the edge of a ruler against the wall at the height of his head showed a difference of practically two inches. The attorney for the respondent then conducted the same experiment upon himself, there being a difference of about five-eighths of an inch between two successive measurements.

In this connection the testimony of Drs. Frank Baker and Daniel S. Lamb, the physicians of whose expert knowledge the Government availed, is enlightening. Dr. Baker has been professor of anatomy in Georgetown University for thirty years, is the author of many treatises and the editor



of articles on the subject in numerous medical dictionaries. Dr. Lamb has been osteologist of the Medical Musuem, Washington, since 1865, has been professor of anatomy in Howard Medical School, Washington, for thirty-seven years, has written a large number of articles for medical journals and for thirteen years has been editor of a medical journal. In addition to testifying to the effect that the apparatus of respondent would not increase the height of any person not over fifty years of age from two to eight inches, the doctors stated that various elements not generally understood by the lay mind enter into scientific measurement. For instance, the measurement is affected by the distance the feet are kept apart, and by the way in which the hip bones are held. There is also a slight difference in measurement of individuals at different times of the day, one being usually tallest just after arising in the morning, it being recognized as an established scientific fact that the difference between ones height upon arising and upon retiring reaches as much as seven-eighths of an inch. From the evidence upon these points I find that the only efficacy the apparatus sold by the respondent has is that common to nearly all mechanical exercisers of the body and has no independent merit in the way of increasing height as represented, and that such apparatus has not been instrumental in increasing the height of individuals past the growing period.

Concerning the invitation extended to prospective patrons to write any of the references whose names appear in the company's literature it may be stated that the evidence showed that these references were compensated by the company at a certain rate for each inquiry answered. One such reference made affidavit that her testimonial was given before she ever tried the apparatus. This woman stated that she received in the neighborhood of twenty cents for



of the affidavit, together with the appliances and instructions, the patient's money will be immediately refunded.

During the course of treatment the patient must write at least once a month giving us information as to the progress made, so as to enable us to send special instructions, if necessary."

It is perfectly obvious that the respondents have no faith that their system will fulfill their representations and that they have accordingly formulated a guaranty that is practically an absolute protection to them so far as making refunds is concerned. That the respondent has reaped the fruits of its foresight in hedging the purchaser about with such provisos is clear from the evidence showing that those <sup>who</sup> bought the course, after using the machine for a time and discovering its lack of merit, would discontinue its use before the expiration of the stipulated period and fail to carry out the other conditions prescribed.

Another development of this case worthy of mention is the testimony of Dr. Baker that the apparatus might result in paralysis of the user.

The entire business of The Cartilage Company was originally under the management of Charles S. Clark until within recent years when it was divided so as to give Clark and Adkin the foreign business and Minges that originating in the United States and Canada.

In past years foreign countries had been a fruitful field of exploitation, especially Japan, the well-known shortness of stature of this race making them easy victims to such a scheme. For some years complaints from all quarters of the globe have been received by the Department against this concern.

The inspectors who investigated the case estimate that since its origin The Cartilage Company has taken in an amount in the neighborhood of \$250,000. At the present time, according to Mr. Minges, the gross returns are not more than \$5,000. or \$6,000. a year.



each reply she made concerning the Cartilage system.

The statements made under the head "What is more beautiful than a beautiful woman?" are manifestly aimed at the vanity and weakness of the reader with the purpose of duping him or her into the belief that the most desirable results delineated therein may be accomplished through the purchase of the company's system. The evidence demonstrates that there is absolutely no justification for such representations as "If you desire a tall and well-developed figure such as is drawn by the leading artists of today place yourself at our disposal, tell us where the weak spots are and what portion of your body you prefer to develop, and we will outline a method for you in connection with our apparatus that will help you to accomplish all this. \* \* \* When you observe your body grow into beautiful and graceful lines you will then feel amply repaid for the little effort put forth. \* \* \* If you have a natural craving for admiration and want to justly deserve the praise which will be given you, you should start immediately with the proper method to bring about an improved condition of your body. \* \* \* Often our patrons are amazed at the results accomplished in a short space of time."

By overwhelming evidence there was established the falsity of the allegation that "After a few weeks practice as outlined by us our patrons become enthusiastic upon the subject and never cease until they reach the high ideal 'perfect man or woman'". This is a gross misstatement of fact, it being shown that in a great majority of cases which were investigated the purchasers of the contrivance gave up its use in discouragement in a short while.

Abundant evidence to the contrary submitted by the Government and the entire lack of anything to support it introduced by the respondent, forces the finding that the representation to the effect "some will grow one inch



-11-

the first month, one-half in the second and a half in the third and so on until they reach an increase in height from two to five inches" is made without foundation and entirely lacking in good faith.

The extent to which this concern has gone in making misrepresentations of the merits of its "system" is illustrated by the statements under the head "You shrink with age", quoted above. Such statements as "there is no reason why an old person should shrink now that the Cartilage method has become known, as this method can be used by the old as well as the young", "they only need to use it occasionally to produce very satisfactory results", and "by applying it occasionally it will prevent the natural shrinkage in old people" are refuted by the testimony of the Government's experts who were positive upon the point that nothing can prevent the natural shrinkage of age, and no evidence to the contrary was attempted to be introduced by the respondents.

One of the features of this corporations business upon which it evidently relies to a large extent in getting business is its so-called "guaranty" to refund the purchaser's money if he does not grow two inches or more, representations regarding which have been quoted. This guaranty, however, upon perusal is found to be worthless, in that it imposes conditions precedent to a refund the observance of which would be more of a hardship than the loss of the amount of money involved. This is apparent from the following:

"The patient must take our treatment, follow our instructions as directed in every detail, and do his or her utmost to assist us. The patient agrees to use the treatment twice a day (barring sickness or any other unforeseen event) for a period of one year from the time he or she commences the treatment, and if at the end of that period the patient has not grown two inches or more, the money paid for the treatment is to be refunded.

In the event the patient desires the money refunded, he or she is to send us an affidavit to the effect that he or she has followed all directions carefully and has not grown two inches. Upon receipt



I find that this is a scheme for obtaining money through the mails by means of false and fraudulent pretenses, representations and promises, in violation of Sections 3929 and 4041 of the Revised Statutes, as amended, and I therefore recommend that a fraud order be issued against The Cartilage Company and the Cartilage Treatment Company, their officers and agents as such.

*W. T. Lamm*

Assistant Attorney General.



March 31, 1919.

Hon. A. M. Palmer,

Attorney General.

Sir:

I beg to return herewith the stipulation transmitted with your letter of February 28, CRP-HSR 185943, in the matter of the indictment now pending in the Western District of New York against the Cartilage Company, E. Leo Minges, Thomas F. Adkin, and Charles S. Clark.

In the stipulation referred to Charles S. Clark states that since the indictment of the concern and parties mentioned no business has been conducted by The Cartilage Company and he agrees that such business shall not be revived or re-established.

On March 26, 1914, a fraud order was issued under the provisions of Sections 3929 and 4041 of the Revised Statutes, as amended, against The Cartilage Company and the Cartilage Treatment Company, and their respective officers and agents as such, at Rochester, New York. The business to which Mr. Clark refers in his stipulation was effectually suppressed by this fraud order, and it is needless to say that any attempt to revive the business of The Cartilage Company would be promptly met by the



Washington

File No.

summary issuance of a supplemental fraud order. In these  
March 24, 1914.  
circumstances it seems to me that Mr. Clark's agreement not

to revive the business is entirely gratuitous and in itself  
Postmaster,

is not entitled to consideration.

Rochester, New York.

With reference to the business of the Okola Laboratory,

Sir:

Inc., and the business of the New York Institute of Science,

I inclose herewith a copy of order No. 1914

Inc., both of which were also promoted by Clark and Adkin, I

March 22, 1914, forbidding the delivery of mail matter and the

beg to state that on February 6, 1914, a fraud order was

payment of money orders to The Cartilage Company, and the Cartilage

issued against the Okola Laboratory, Inc., and its officers

Treatment Company, and their respective officers and agents as such,

and agents as such, at Rochester, New York, and on March 13,

the original of which, signed by the Postmaster General, has been

1914, a fraud order was issued against the New York Institute

retained in the files of this Department.

of Science, Inc., its officers and agents as such, at

In the enforcement of this order, please observe the follow-

Rochester, New York. In the hearings before this Department

ing general regulation, published in the United States Postal

on the question of whether fraud orders should be issued in

Guide for January, 1903 (page 906, section 30), viz:

these three cases it was clearly established that the three

schemes involved were grossly fraudulent, and, as hitherto

the provisions of the Acts of September 19, 1890 (26 Stats.

stated with reference to the Cartilage Company scheme, any

mail matter under the frank of a Senator or Representative or

other effort to evade the fraud orders by a resumption of the that

which is covered by an official envelope. Nor do these

orders business of the New York Institute of Science, Inc., or the

circulars, etc., unless specifically stated in the order, or

by sub Okola Laboratory, Inc., would be promptly met by an extension

of the fraud orders.

Respectfully,

Very respectfully,

(Signed) A. S. Burleson.

Postmaster General.

Inclosure.

Assistant Attorney General.



Post Office Department  
OFFICE OF THE  
ASSISTANT ATTORNEY GENERAL  
Washington

File No.

March 26, 1914.

Postmaster,

Rochester, New York.

Sir:

I inclose herewith a copy of order No. 7917 , dated March 26, 1914 , forbidding the delivery of mail matter and the payment of money orders to The Cartilage Company, and the Cartilage Treatment Company, and their respective officers and agents as such, the original of which, signed by the Postmaster General, has been retained on the files of this Department.

In the enforcement of this order, please observe the following general regulation, published in the United States Postal Guide for January, 1903 (page 955, section 30), viz:

"Postmasters are notified that fraud orders issued under the provisions of the Acts of September 19, 1890 (26 Stats. L. 465) and March 2, 1895 (28 Stats. L. 963), do not cover mail matter under the frank of a Senator or Representative or other officer entitled to the franking privilege, nor that which is covered by an official envelope. Nor do these orders apply to matter not under seal, such as newspapers, circulars, etc., unless specifically stated in the order, or by subsequent letter of instructions."

Very respectfully,

Assistant Attorney General.



Washington,

March 27, 1914.

Postmaster,

Rochester, New York.

Postmaster General issued yesterday fraud order against The Cartilage Company and the Cartilage Treatment Company, their respective officers and agents as such, Rochester, New York. You will therefore treat mail and money orders in accordance Sections 485 and 1155 Postal Laws and Regulations, nineteen thirteen. Copy order has been mailed you.

Assistant Attorney General.



April 24, 1917.

Chief Inspector.

There is enclosed herewith a communication from Hon. Stephen T. Lockwood, United States Attorney at Buffalo, New York, with which he submits a proposed stipulation and memorandum submitted by attorneys for the Cartilage Company, Lee K. Minges, Charles S. Clark and Thomas F. Adkin, who are now under indictment in the Western District of New York on the charge of using the mails to defraud in violation of Section 215 of the Criminal Code. The stipulation is proposed for the purpose of inducing the Government to dismiss these indictments, and it is requested that the matter be investigated and a report submitted by a post office inspector together with his recommendation in this connection. I would also like the benefit of your views with reference to the matter before making reply to the United States Attorney.

(Signed) W. H. LAMM

Solicitor.

Inclosure.



April 24, 1917.

Hon. Stephen T. Lockwood,  
United States Attorney,  
Buffalo, New York.

Sir:

The Postmaster General has referred to me your letter of the 19th instant with which you enclose, at the request of the defendant's attorney, a proposed stipulation to be filed in the case of United States v. Cartilage Company, Leo K. Minges, Charles S. Clark and Thomas F. Adkin, for the purpose of procuring dismissal of the indictment now pending against these parties on the charge of using the mails to defraud.

The matter will have careful consideration, and you will be further advised at the earliest practicable date.

Respectfully,

(Signed) W. H. LAMAR

Solicitor.